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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LORETTA GOODENBOUR, individually and
on Behalf of the Estate of JOHN
GOODENBOUR, Decedent; GREGORY
GOODENBOUR; JEFFREY GOODENBOUR
AND DOES ONE through TEN, inclusive

Plaintiffs,

vs.

A.W. CHESTERTON COMPANY, et. al.,
Defendants.

) Case No. CV 08-04028 WHA
)
) **STIPULATION AND PROPOSED**
) **ORDER TO REMAND CASE TO**
) **ALAMEDA COUNTY SUPERIOR**
) **COURT**
)
) Courtroom: Courtroom 9
) San Francisco, California
)
) The Honorable William H. Alsup

STIPULATION

Plaintiffs Loretta Goodenbour, Gregory Goodenbour and Jeffrey Goodenbour, and Defendant Foster Wheeler LLC, by and through their respective counsel, hereby stipulate to Foster Wheeler LLC's withdrawal of its notice of removal. By such stipulation, Plaintiffs and Defendant Foster Wheeler LLC respectfully request this court to immediately remand this case to state court.

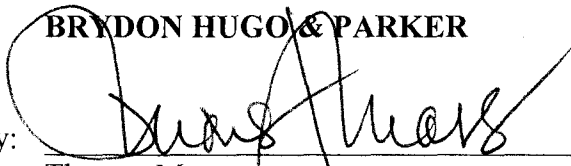
IT SO STIPULATED:

Dated: October 8, 2008

LEVIN SIMES KAISER & GORNICK LLP

By: 
Jeffrey A. Kaiser
Attorneys for Plaintiff

Dated: October 8, 2007

BRYDON HUGO & PARKER
By: 
Thomas Moses
Attorneys for Defendant
Foster Wheeler LLC

[PROPOSED] ORDER

Good cause appearing from Foster Wheeler LLC's stipulated withdrawal of its notice of removal, this court hereby orders this case immediately remanded to state court.

Dated October 14, 2008

Hon. William H. Alsup

